

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

September 9, 2010

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

PSF No.:10OD-134

Oahu

Issuance of Revocable Permit to Fireworks by Grucci, Inc. for Aerial Fireworks Display at Honouliuli, Ewa, Oahu, Tax Map Key: (1) 9-1-057:seaward of 017.

APPLICANT:

Fireworks by Grucci, Inc. whose business and mailing address is 84-314 Makau Street, Hawaii 96792-1829.

LEGAL REFERENCE:

Sections 171-55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Honouliuli situated at Ewa, Oahu, identified as tax map key:(1) 9-1-057: seaward of 017, as shown on the attached Exhibit A.

AREA:

1100 square feet, more or less.

ZONING:

State Land Use District: Conservation

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Requested area is vacant and unencumbered.

CHARACTER OF USE:

Aerial fireworks display.

RENTAL:

\$110.00 (one-time payment).

COLLATERAL SECURITY DEPOSIT:

None.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1)(4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation", as included in Exhibit B.

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u>X</u>	NO <u> </u>
Registered business name confirmed:	YES <u>X</u>	NO <u> </u>
Applicant in good standing confirmed:	YES <u>X</u>	NO <u> </u>

REMARKS:

Pursuant to the authority delegated by the Board on September 28, 2001 (D-4), right-of-entry permits were issued for the firework display in the past.

After discussion about different types of commercial activities and any associated requirements, staff brings the request to the Board for disposition. The form of disposition could be in form of a revocable permit.

Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the past five years due to non-compliance with such terms and conditions.

No comments were solicited from other government or community agencies. For Board's information, the permittee is required to obtain authorization from other governmental agencies, for example, Honolulu Fire Department, US Coast Guard, before any set up and display of firework.

Fireworks by Grucci, Inc. is requesting a revocable permit for fireworks display services in conjunction with the Rotary Club Taste at Kapolei. The aerial fireworks display is scheduled for September 18, 2010 at 8:45 p.m. Set-up will be at 8:00 a.m. and break down by 11:00 p.m.

The proposed activity is of a similar type and scope of firework display activities that routinely occurred and continues to occur on this and other beach areas across the State.

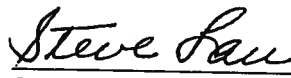
Such activities have resulted in no known significant impacts, whether immediate or cumulative, to the natural, environmental and/or cultural resources in the area. As such staff believes that the proposed event/use would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

There are no other pertinent issues or concerns. Staff has no objection to this request.

RECOMMENDATION: That the Board authorize the issuance of a revocable permit to Fireworks by Grucci, Inc. covering the subject area for aerial fireworks display purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:


- a. The standard terms and conditions of the most current revocable permit form, as may be amended from time to time;
- b. Review and approval by the Department of the Attorney General; and
- c. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.


Respectfully Submitted,



Steve Lau
Land Agent

APPROVED FOR SUBMITTAL:



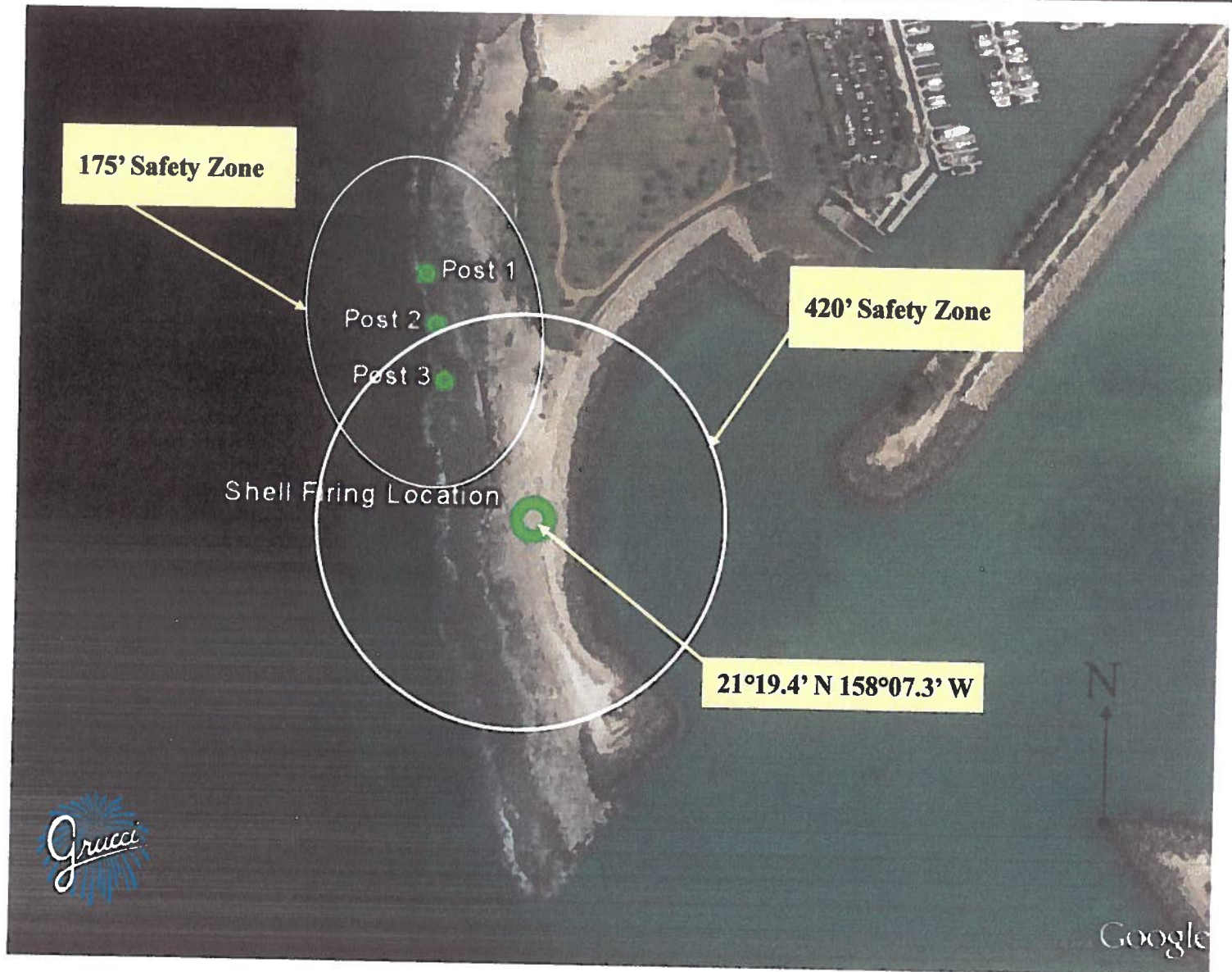
Laura H. Thielen, Chairperson 

FIREWORKS BY GRUCCI, INC.

SITE INSPECTION REPORT



Program: Taste At Kapolei	Event Date: 18 September 2010	Event Time: 2045 HST	Rain Date: None
Pyrotechnic Contact: Thomas Likos, Fireworks by Grucci	Phone: (808) 696-5909	Cell: (808) 348-5000	
Event Contact: Dion Dizon	Phone: (808) 291-2626		
Location Coordinator: Natasha Clarin	Phone: (808) 671-2752		
Fire Marshal: Chuck Perry, Honolulu Fire Department	Phone: (808) 723-7174	Cell: (808) 228-0050	



Maximum Shell Diameter: 6"		Maximum Height : 800'		Proximate Pyrotechnics: No	
SITE INSPECTION:		DISTANCES:			
Inspected by:	Thomas A. Likos	Audience	>420	Vehicles:	>1000'
Date:	July 17, 2010	Occupied Building	>800'	Overhead Obstructions:	N/A
Time:	1700 HST	Building Unoccupied:	N/A	Trees/Shrubs:	N/A

EXHIBIT "A"



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

EXEMPTION NOTIFICATION

regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title: Aerial Fireworks Display for Rotary Club Taste of Kapolei

Project / Reference No.: PSF 10OD-134

Project Location: Honouliuli, Ewa, Oahu, TMK:(1) 9-1-057: seaward of 017.

Project Description: Aerial Fireworks Display

Chap. 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1)(4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation."

This Division has permitted similar events in the past. The proposed activity is of a similar type and scope of beach activities that periodically occurred and continues to occur on this and other beach areas across the State. Such activities have resulted in no known significant impacts, whether immediate or cumulative, to the natural, environmental and/or cultural resources in the area. As such staff believes that the proposed event would involve negligible or no expansion or change in use of the subject area beyond that previously existing.

Consulted Parties Office of Conservation and Coastal Lands

EXHIBIT "B"

Recommendation:

It is recommended the Board find that this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

Laura H. Thielen, Chairperson

Date